

# Notice of Allowability

Application No.

10/071,678

Examiner

John L. Goff

Applicant(s)

WINTER ET AL.

Art Unit

1733

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the RCE filed 7/14/05.
2. ☒ The allowed claim(s) is/are 1-7,18,19,22-24,26 and 33-39.
3. ☒ The drawings filed on 31 May 2002 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All b) ☐ Some\* c) ☐ None of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

## Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date \_\_\_\_\_
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

### EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

The application has been amended as follows:

#### **In the Claims:**

2. In claim 36, line 3 delete both instances of "of".
3. In claim 37, line 3 delete both instances of "of".
4. Claims 1-7, 18, 19, 22-24, 26, and 33-39 are allowed.

### REASONS FOR ALLOWANCE

5. The following is an examiner's statement of reasons for allowance:

The claims are allowed in view of the amendments and arguments filed in the response on 7/14/05. The prior art of record fails to teach or suggest an apparatus capable of adhering swatches/paint chips on a sheet comprising a sheet feeder, downstream of the sheet feeder at least one adhesive applying station, downstream of the at least one applying station at least one swatch/paint chip applying station, and an elongated support surface extending from upstream, i.e. the sheet feeder, through the downstream, i.e. the swatch/paint chip applying station, wherein at least two gripping mechanisms travel along the elongated support surface from the upstream to the downstream and are capable of pulling a downstream edge of a sheet through the apparatus,

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the gripping mechanisms laterally disposed from each other along an axis perpendicular to the elongated support surface, i.e. perpendicular to the downstream advancement of the sheets.

There is no suggestion in the combination of Andre et al. (FR 2717165) in view of Burger (U.S. Patent 4,799,664) (or Muller (U.S. Patent 5,169,285) or Eberle et al. (U.S. Patent 5,007,629)) to modify Andre et al. to include at least two gripping mechanisms laterally disposed from each other along an axis perpendicular to the elongated support surface capable of pulling a downstream edge of a sheet through the apparatus. Vossen (U.S. Patent 6,152,441) and Wingate (U.S. Patent 5,810,347) are exemplary of known sheet conveying apparatus including at least two gripping mechanisms laterally disposed from each other along an axis perpendicular to the downstream advancement of the sheets capable of pulling a downstream edge of a sheet through the apparatus. However, neither Vossen nor Wingate alone or in combination with any of the prior art or record teach or suggest including at least one adhesive applying station, at least one swatch/paint chip applying station, or an elongated support surface extending from the upstream to the downstream.

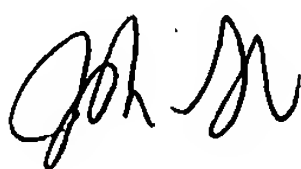
Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **John L. Goff** whose telephone number is **(571) 272-1216**. The examiner can normally be reached on M-F (7:15 AM - 3:45 PM).


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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Blaine Copenheaver can be reached on (571) 272-1156. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



John L. Goff



JEFF H. AFTERGUT  
PRIMARY EXAMINER  
GROUP 1800